

STATE OF MICHIGAN
COURT OF APPEALS

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Case Title: PEOPLE OF MI V DION DELANDO ANDERSON		
Priority: NONE	Filing Option: File & Serve	

Filer Information

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STATE OF MICHIGAN
MI Court of Appeals

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Case Number:
337631

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Ronald D. Ambrose

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STATE OF MICHIGAN
IN THE COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

Case #: 16-008405-01-FC

CofA#: 337631

v.

DION DELANDO ANDERSON,

Defendant-Appellant.

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DEFENDANT-APPELLANT'S
REPLY BRIEF

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FIRST DISTRICT

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STATUTES AND OTHER AUTHORITIES

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REPLY

There are a few areas of concern where Defendant-Appellant Dion Delando Anderson would like to address.

First, the prosecution insinuates that Defendant-Appellant Dion Delando Anderson was in court for hearings held on September 1, 2016; September 6, 2016; September 14, 2016, and September 22, 2016. (“People’s Answer To Defendant’s Supplemental Brief,” p 9, 8/27/18.) The prosecution’s assertion is untrue-- Mr. Anderson was arraigned on the warrant on August 25, 2016, but was not brought back to court for the preliminary examination until September 28, 2016. (“Register of Actions.”)

Second, Mr. Anderson was taken to the Secretary of State with Edward Taliaferro, the alleged victim, who allowed Mr. Anderson to reside at this apartment located at 15836 Puritan, Apartment A, which belies the claim that Anderson was located at the apartment “against the victim’s wishes.” (Transcript, “Jury Trial,” p 11, 12/12/16.) There was never an eviction of Mr. Anderson despite Mr. Anderson being paroled at that location.

Third, the prosecution’s suggestion that Mr. Taliaferro was believable is misguided. Had the jury actually believed everything he had said, Mr. Anderson would not have been acquitted of armed robbery and assault and

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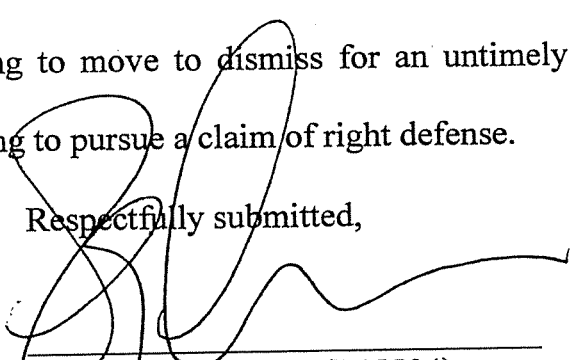
battery. Keep in mind, Taliaferro claim he was assaulted and property was taken from him—something the jury found not to be credible. (Transcript, “Jury Trial,” p 209, 12/8/16; “Jury Trial,” p 114, 12/12/19.) Mr. Anderson was convicted of the sole charge of home invasion because he was not provided effective assistance of counsel and the jury was not properly instructed.

CONCLUSION

The convictions against Defendant-Appellant Dion Delando Anderson should be vacated or, at the very least, a remand for a better appellate record should be ordered. On remand, Mr. Anderson should be allowed to argue that his conviction is against the great weight of the evidence. Also on remand, Mr. Anderson should be allowed to expand the record on trial counsel’s strategy, if any, for failing to move to dismiss for an untimely preliminary examination and in failing to pursue a claim of right defense.

Respectfully submitted,

Dated: September 19, 2018



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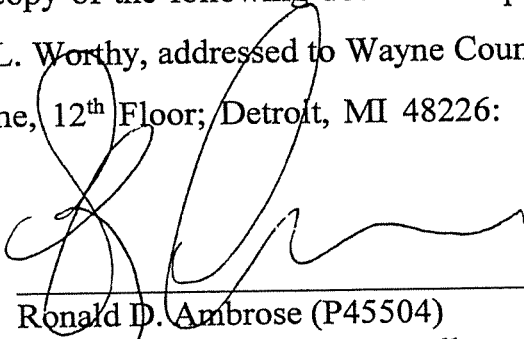
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PROOF OF SERVICE

I, Ronald D. Ambrose, attorney for Defendant-Appellant Dion Delando Anderson, certify that on September 19, 2018 I served through first class mail, postage fully prepaid, a copy of the following documents upon counsel for Plaintiff-Appellee, Kym L. Worthy, addressed to Wayne County Prosecutor's Office, 1441 St. Antoine, 12th Floor; Detroit, MI 48226: 1) Defendant-Appellant's Reply Brief.

Dated: September 19, 2018



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